



Public Policy Research,
Development,
and Evaluation

Jeffrey D. Padden
President

Michigan House of Representatives

House Judiciary Committee
Representative Paul Condino, Chair
and

House Appropriations Subcommittee on Corrections
Representative Alma Wheeler Smith, Chair

Testimony of Jeffrey D. Padden

March 19, 2007

119 Pere Marquette
Lansing, MI 48912-1231

517-485-4477

Fax: 485-4488

ppa@publicpolicy.com

www.publicpolicy.com

Madam Chairperson and members of the committee, thank you for the opportunity to speak today. My name is Jeff Padden, and I am the president of Public Policy Associates, Incorporated (PPA), a Lansing-based, national policy research firm. I speak today as the Michigan Site Coordinator for the National Institute of Corrections (NIC) Transition from Prison to Communities Initiative. In that role, I am responsible for assisting the State of Michigan in its implementation of the Michigan Prisoner ReEntry Initiative (MPRI). Part of my responsibility with NIC is to bring a national perspective and insight to the work here, in terms of corrections research and current practice.

We at PPA have also received grant funds from the JEHT Foundation for support of the MPRI, and we are under contract directly with the Michigan Department of Corrections (MDOC) to increase our capacity to provide this support. Thus, I am not at all a disinterested party when it comes to the MPRI. We have been deeply involved in developing its overall strategy and assisting with its implementation.

My policy experience with corrections dates back to 1975, when I became a member of the Michigan House of Representatives. I served on the House Committee on Corrections for ten years and chaired the committee for eight of those years. During that period, Michigan prisons experienced an explosion of growth, prison riots, murders by parolees, and a variety of other crises. I mention that experience only to indicate that I fully understand how difficult the job is that you are doing today.

As you consider the policy and budget issues surrounding the Michigan Department of Corrections, you have one purpose at the forefront of your thinking: finding ways of better protecting the public. Policy makers have struggled for centuries to find the best way for prisons to help with that.

Traditionally, all prison systems have protected the public from offenders while those offenders were inside the walls and have punished those offenders for breaking society's laws. What had been missing from the work of prison systems was a coherent, consistent strategy for reducing the likelihood that the released prisoners would commit new crimes after their release. While parole systems have attempted to incent good behavior and monitor for violations, those approaches were generally not driven by reliable research. Instead, they were simply the best ideas that corrections officials could devise with too little information.

The MPRI changes that. It takes a common-sense approach to improving public safety— informed and driven by extensive research that has been conducted over the past two decades. My belief, based on my experience with corrections policy and my understanding of the research, is that the MPRI can make a substantial contribution to improving public safety. We are beginning to see such results already. That is why I am involved in the initiative. I do want to be clear, however, about the limits of what MPRI or any corrections initiative can accomplish. The MPRI can make the public safer, but it cannot make the public perfectly safe from all former prisoners. Currently, the return-to-prison rate in Michigan is just under 50% after two years. If the MPRI can drive that number down to 40%, it will have prevented thousands of crimes and technical violations from occurring. That means that Michiganians who would otherwise have become victims will instead live more secure and peaceful lives. For you as legislators, that will be an accomplishment of which you will be truly proud.

Even so, there will still be thousands of crimes committed by former prisoners. And some of them will be terrible. This reality means that it is important to avoid overpromising what a

corrections system can achieve. The MPRI can reduce crimes by former prisoners, but neither it nor any other initiative can eliminate them. With that said, I'd like to describe how the MPRI can improve public safety.

When the MPRI is fully implemented, each prisoner will:

1. Upon entering the prison system, receive an assessment of the dynamic risk factors that the best scientific evidence shows are related to the likelihood of returning to prison. These are the risks—like substance abuse, lack of job skills, unstable housing—that are subject to change. In the past, assessments focused mostly on factors that could not be changed, such as prior offenses. While those assessments were reasonably predictive, they did not point to actions that could *reduce* risk.
2. Be required to participate in programming that has been shown to reduce the risk factors that are related to returning to prison. MDOC programming resources should be shifted away from programs that have not been proven to have such effect and toward those that have. Such programs include but are not limited to substance abuse counseling, basic job-readiness preparation, employment-skills training, cognitive restructuring, and others. The specific programming for each prisoner is guided by the initial assessment.
3. In the months prior to release, be required to participate in planning for the transition to the community. This includes reassessing risk to determine the intensity of supervision required, linking with community service providers who will continue programming to reduce risk with minimal interruption, and connecting with parole agents regarding the requirements for successfully completing parole. It also involves preparation for finding employment and stable housing and the acquisition of legal identification and other documents required for employment, housing, and the other ordinary functions of life in the free world.
4. Upon release, be required to report immediately to their parole officers, rather than after even one day has elapsed. This will ensure continuity in both the supervision and programming that are essential to reducing risk to the public.
5. Be required to cooperate with all supervision and programming included in their transition plan.

This adds up to a profound transformation in the way the MDOC does business. It involves policy and practice driven by evidence rather than whim. It pulls all relevant state departments into the process of protecting the public; among them are Labor and Economic Growth, Human Services, the Housing Development Authority, Community Health, and Education. It replicates that same collaboration at the local level, with all of the local offices of those departments at the table along with parole officers and community- and faith-based providers of programming. It brings the community folks into the prisons to prepare inmates for the transition in advance, rather than springing inmates on the community unannounced and unprepared. This is clearly a better way to run the store.

Keep in mind that MPRI does not and cannot result in early release of prisoners. Minimum sentences are established by legislators and judges, not by the Corrections department. What MPRI can do, however, is two-fold. First, prisoners who are better-prepared to reenter our communities are more likely to be paroled on or near their minimum sentences. Second, it will increase the odds that those released will reenter the free world successfully. Early release is not part of the MPRI equation.

Currently, Michigan is the national leader in implementing such a comprehensive, ambitious approach to prisoner reentry. While many are working on one or more elements of this change, Michigan is clearly the pathbreaker for true systemic change. One aspect of Michigan's approach that is unique in the nation is the structural linkage of MPRI with the State's workforce development system, the network of Michigan Works! agencies (MWAs). In most MPRI community sites, MWAs are the lead administrative agency for MPRI, serving as the hub of the network of connections among parole offices, local offices of other state agencies, and community- and faith-based service providers. This intimate connection between Michigan's workforce and reentry systems makes perfect sense, since basic job readiness and specific job skills are key ingredients to successful reentry, and yet no other state in the nation has built such a system.

But what happens when the transition fails and the prisoner violates parole or commits a new crime and is returned to prison? My suggestion is that in each such case, the MDOC and the local MPRI team should review the transition plan and other relevant records to determine what efforts, if anything, could have avoided the failure. The results of these reviews should be assessed systematically to identify changes to the MPRI that can improve success and further reduce risk to the public. With this feature in place, the MPRI should become more effective with each passing year.

Will a fully-implemented MPRI prevent all crimes by all former prisoners? Certainly not. Many will continue the patterns of crime that have marked their lives, and our society will suffer as a result. What we should expect of MPRI is that it will improve the odds that the public will be safer from returning prisoners, because those prisoners will be more likely to stay out of crime. As I mentioned earlier, preliminary results are positive.

If you think this approach to fighting crime makes sense, there are a few things that you could do to help with MPRI implementation. I suggest the following:

1. *Continue to support funding for MPRI.* Ultimately, the MPRI will be the way the MDOC does business, but for now, there are transitional costs that support development of new systems, pilot testing new processes in the communities and prisons, training, evaluation, and so forth. The funding that you have provided through the Corrections budget, along with support from the JEHT Foundation, has covered those costs to date. The transition will continue for at least several more years.
2. *Push for full implementation of the MPRI for all prisoners expected to return to the community as soon as reasonably possible.* Currently, several thousand prisoners are flowing through the MPRI, even as the system is being built. Ultimately, that number will exceed 11,000 per year. The sooner the MPRI gets to full-scale operation, the sooner the public will start to experience the benefit. With that said, I want to be clear that full implementation should take several more years in order for it to be done right. This is a case in which you should ask the Department to move with all deliberate speed. Nothing more and nothing less.
3. *Require the Corrections Department to report to the legislature periodically on the impact of the MPRI on the return-to-prison rate.* You should know how well the MPRI is working and why. We at PPA are currently overseeing an evaluation of the MPRI that is jointly funded by the MDOC and the JEHT Foundation. Over the next two years, that work will begin to provide clear answers that would contribute to such reports. In the meantime, data from the

MDOC can give you early clues about the performance of MPRI. If those results continue to look good, then I urge you to continue your support. If they do not, then you should look very closely at why not to determine whether the results reflect a failure of the theory or of implementation. Let the evidence guide your actions.

4. *Finally, keep the MPRI above the partisan fray.* It is tempting, especially in election years—and isn't there always one just around the corner, to put everything in play. I hope that the MPRI can be an exception, and so far, it has been. Republicans and Democrats alike have been staunch supporters of the MPRI. If that spirit of bipartisanship can continue, then all of you can work together to find ways to fully implement the MPRI in the most effective way.

MPRI is one of those rare policies that make sense from a variety of perspectives. It improves public protection; if you want to be tough on crime, then MPRI is for you. It means less spending than would have been the case without it; if you are a fiscal conservative, this is for you, too. Finally, MPRI will make it possible for more former prisoners to live productive, fulfilling lives; if you are a humanitarian, MPRI should give you reason for hope. My belief is that—to some degree—all of us embrace each of these perspectives. Perhaps that is the reason that MPRI has such broad appeal.

In closing, I want to again thank you for your diligent efforts to serve the public. I would be happy to assist in any way you might find useful.